

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LOUIS LEVERN PENNY,

Plaintiff,

v.

J. PEREIRA, et al.,

Defendants.

Case No. [19-cv-06981-EMC](#)

ORDER OF DISMISSAL

On July 30, 2021, mail was sent from the Court to Plaintiff at the address he provided to the Court. Docket No. 22. This mail was returned undelivered on August 23, 2021, bearing a stamp that read in part “return to sender” and had a stamped notation “INMATE NOT IN,” which is used to indicate that an inmate is not in custody. Docket No. 23-1. Plaintiff has not provided any address other than the address to which the undeliverable mail was sent. More than sixty days have passed since the mail was returned to the Court undelivered.

Plaintiff has failed to comply with Local Rule 3-11(a) which requires a party proceeding *pro se* to “promptly file with the Court and serve upon all opposing parties a Notice of Change of Address specifying the new address” when his address changes. Local Rule 3-11(b) allows the Court to dismiss a complaint without prejudice when mail directed to a *pro se* party is returned as not deliverable and the *pro se* party fails to send written notice of his current address within sixty days of the return of the undelivered mail.

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1 This action is **DISMISSED** without prejudice pursuant to Local Rule 3-11(b), because
2 Plaintiff failed to keep the Court informed of his address in compliance with Local Rule 3-11(a).

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4 **IT IS SO ORDERED.**

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6 Dated: November 3, 2021

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9 EDWARD M. CHEN
United States District Judge

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United States District Court
Northern District of California